Irrevocable, Self-Executing, Limited Waiver of NAESB Copyright for NAESB Members and Non-Member Purchasers of NAESB Standards

Since their creation, the North American Energy Standards Board (NAESB) and its predecessor organization, the Gas Industry Standards Board, have granted limited copyright waivers to entities. The limited copyright waiver serves as a tool to allow access to protected materials when such access is necessary for any number of reasons including, but not limited to, the clear articulation of a tariff provision by an entity when reference to a standard is insufficient for comprehension of the provision. The integrity of copyright protection is diminished if not enforced; it is essential that NAESB make every effort to protect its copyrights, including the grant of limited copyright waivers when appropriate.

For the purpose of clarity, and consistent with the foregoing, NAESB hereby grants an irrevocable, self-executing, limited copyright waiver as follows:

1. NAESB members and non-member purchasers of past, current, and future NAESB standards have, as a condition of their valid access to such materials, an irrevocable, self-executing, limited waiver of NAESB’s copyright and NAESB’s assertion of ownership of copyright in such materials. With regard to the standards to which they have valid access, this waiver authorizes members and non-member purchasers to use some or all of the language contained in such standards in the following materials:
   a. proposed tariffs and tariff sheets, and approved tariffs and tariff sheets;
   b. compliance filings;
   c. communications with customers, stakeholders, or both in conducting day to day business;
   d. communications with regulatory agencies; and
   e. electronic and other media making tariffs, tariff sheets and other documents available to the public as required by law;

provided the member or non-member includes the appropriate citation in the material.

2. The citation referenced in paragraph 1 must state in the material that the language has been reproduced subject to a limited copyright waiver from NAESB with all rights reserved. The citation should include the following:

   “© YEAR NAESB, all rights reserved.”

   This citation need only be included once in an appropriate place in the material. This requirement is prospective only, and does not require those with valid access to revise previously prepared materials, including tariffs and tariff sheets.

3. Under this waiver, a user with legitimate access to a NAESB data set standard does not violate NAESB copyright by using data element names, descriptions, code values, or error messages, in a software product or a mobile application; by displaying data element names, descriptions, code values, or error messages on a webpage; or by communicating the corresponding technical parameters.

4. Any questions concerning this waiver should be directed to NAESB (naesb@naesb.org; (713) 356-0060).

Adopted by the Board of Directors on April 4, 2013